

United States District Court

for the

DISTRICT OF HAWAII

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII
Jan 30, 2024
LUCY H. CARRILLO, CLERK OF COURT

**Request for Modifying the Conditions of Supervision
With Consent of the Person Under Supervision
(Probation Form 49, Waiver of Hearing, is Attached)**

Subject: MATTHEW BELANGER Case No.: CR 22-00049JAO-01

Name of Sentencing Judicial Officer: The Honorable Jill A. Otake
US District Judge

Original Offense: Count 1: Conspiracy to Make a False Statement To a
Federal Firearm Licensee, a Class D felony.

Count 2: False Material Statement During Purchase of a
Firearm, a Class C felony.

Date of Original Sentence: 06/06/2023

Original Sentence: Time served, to be followed by 36 months supervised
release

Current Term of Supervision 06/06/2023
Commenced:

PETITIONING THE COURT

☒ To modify the conditions of supervision as follows:

Special Condition No. 5 You must participate in an outpatient mental health treatment program and follow the rules and regulations of that program. The probation officer, in consultation with the treatment provider, will supervise your participation in the program (such as provider, location, modality, duration, and intensity).

STATEMENT OF FACTS

By way of background, Mr. Belanger was sentenced and released from custody on 06/06/2023. He immediately submitted a relocation request to the Middle District of Florida (MD/FL), and on 07/21/2023, Mr. Belanger moved to Melbourne, Florida.

Currently, Mr. Belanger resides with his aunt and uncle. He is unemployed but otherwise in compliance with the conditions of supervision.

Mr. Belanger completed a mental health assessment on 08/08/2023. According to the assessment, Mr. Belanger was diagnosed with General Anxiety Disorder. Further,

the assessment indicated Mr. Belanger identified himself as a member of a supremacist group, but did not reveal that his group promoted hatred toward minority groups, specifically the Jewish community. Based on the above, Mr. Belanger was recommended to participate in individual counseling sessions. Soon after the assessment, Mr. Belanger began counseling sessions with the MD/FL's contracted vendor. Additionally, Mr. Belanger voluntarily sought out and began attending therapy with a privately secured counselor.

Mr. Belanger's special conditions of supervision mandate that he attend a mental health assessment, and based on that assessment, the probation office can then request the Court order specific mental health treatment. Such a condition (requesting an assessment without further providing recommended treatment) does not exist in the MD/FL. It has now come to their attention the necessity of a special condition ordering specific mental health treatment.

As such, it is respectfully recommended that the Court modify Mr. Belanger's conditions to include outpatient mental health treatment, as reflected above. He will continue to participate in individual counseling with the MD/FL's contracted vendor as well as his privately secured therapist.

Attached is a signed Wavier of Hearing to Modify Conditions of Supervised Release. Mr. Belanger waives his right to a hearing and to the assistance of counsel. He agrees to the modification of the conditions of supervised release. Mr. Belanger's attorney and the US Attorney's Office have been notified of the proposed modification and have no objection to the modification.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 01/30/2024

Respectfully submitted by,



Kate McClory
Senior US Probation Officer

Approved by:



Jenny Coats
Supervising US Probation Officer

ORDER OF THE COURT

THE COURT ORDERS:

☒ The Modifications of Conditions as Recommended by the US
Probation Officer

or

☐ No Action/Other

Considered and ordered this 30th day of January 2024, and ordered filed and
made a part of the records in the above case.



A handwritten signature in black ink, appearing to read "Jill A. Otake".

Jill A. Otake
United States District Judge

PROB 49
(5/96)

United States District Court
District of Hawaii

**Waiver of Hearing to
Modify Conditions of Supervision**

I have been told and understand that I have the right to a hearing and to the assistance of an attorney before any change may be made to the conditions of my supervision. I understand that I have the right to be represented at the hearing by an attorney of my own choosing if I am able to pay for one. I also understand that if I can not afford to pay for an attorney, the Court will provide an attorney to represent me at such a hearing at no cost to me.


With my signature below, I voluntarily waive my right to a hearing and to the assistance of any attorney, and agree to the following modification of my conditions of supervision.

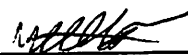
- ☐ To extend the term of supervision for _____ month(s), for a total term of _____ month(s).
- ☒ To modify the conditions of supervision as follows:

Special Condition No. 5 You must participate in an outpatient mental health treatment program and follow the rules and regulations of that program. The probation officer, in consultation with the treatment provider, will supervise your participation in the program (such as provider, location, modality, duration, and intensity).

Witness:

Signed:





Matthew Belanger
Person Under Supervision

1/30/2024
Date